APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/392,550	09/09/1999	ERNEST YIU CHEONG WAN	169.1444	1386

5514   7590   11/20/2002

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER
ROMERO, ALMARI DEL CARMEN

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Offic Action Summary	**Application No.** 09/392,550	**Applicant(s)** CHEONG WAN, ERNEST YIU
	Examiner Almari Romero	**Art Unit** 2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 July 2002_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-53_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-53_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _09 September 1999_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _6,7_ .	6) ☐ Other:

DETAILED ACTION

1.   This action is responsive to communications: Application filed on 9/09/99, Priority

documents filed on 10/04/99, and the IDSs filed on 1/06/01 and 7/26/02.

2.   Claims 1-53 are pending in the case. Claims 1, 17, 18, 19, 20, and 36 are independent

claims.

Priority

3.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers

have been placed of record in the file.

Information Disclosure Statement

4.   The references listed in the Information Disclosure Statements filed on 1/06/01 and

7/26/02 have been considered.

Drawings

5.   The formal drawings filed on 9/09/99 were approved by the Draftsperson.

Specification

6.   The abstract of the disclosure is objected to because it includes reference characters

enclosed within parentheses. Applicant is advised to delete reference characters in parentheses.

Correction is required. See MPEP § 608.01(b).

7.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

The following title is suggested: "METHOD AND APPARATUS FOR REPRODUCING A LINEAR DOCUMENT HAVING NON-LINEAR REFERENTIAL LINKS".

Claim Objections

8.   Claims 1, 10-13, 17-20, 29-32, 36, and 45-48 objected to because of the following informalities: misspelled word(s) "optimising" and "optimised". Applicant is advised to replace word(s) with "optimizing" and "optimized". Appropriate correction is required.

9.   Regarding dependent claims 42 and 43, Applicant is advised to renumber dependent claims 42 and 43 because dependent claim 42 refers back to dependent claim 43.

Claim Rejections - 35 USC § 101

10.   Claims 52-53 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 52-53 are lacking nonfunctional descriptive material and lacking physical structures or materials comprising of hardware or a combination of hardware and software within the technological arts (i.e. a computer) to produce a "useful, concrete and tangible" result.

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12.   **Claims 1-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bricklin et al. (USPN 6,268,851 B1 – filing date: 09/1996) in view of Kulkarni et al. (USPN 6,310,630 B1 – filing date 12/1997).**

Regarding independent claim 1, Bricklin et al. (Bricklin) discloses:

A method of creating a document suitable for hard copy reproduction (on col. 31, line 23 – printer for hard copy reproduction), said method comprising the steps of:

(a) receiving information from at least one source (on col. 18, lines 7-17: linking text from source lexia), said information including a plurality of links (on col. 1, lines 17-45 and col. 20, lines 16-57: teaches creating links for the elements from the lexia);

(b) defining a physical structure of said document sufficient to reproduce said information (on col. 10, lines 39-44: teaches stylized image of a page of text);

(c) defining a plurality of document links corresponding to said links (on col. 1, lines 17-45: teaches lexia containing plurality of links);

(d) assigning a user interpretable functional link to each said document link (on col. 13, lines 25-64: teaches notched caricature (page image) to distinguish from other caricatures); and

(e) optimising a number of said user interpretable functional links (on col. 10, lines 39-44 and on col. 13, lines 25-64: teaches caricature of stylized image of a page of a text reflecting the lexia, wherein each caricature comprises a notch along the top edge of the caricature.

However, Bricklin does not explicitly disclose "referential links" and "assigning plural ones of said document links to at least an individual one of said functional links".

Kulkarni et al. (Kulkarni) on col. 1, lines 39-67 : teaches web pages (document links)

comprising plurality of links to browse from current document to another document (referential

path) and on col. 8, lines 13-23: teaches forming a tab for each web page.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Kulkarni into Bricklin to provide a way to link from one

document to another and provide a tab for each web page or document to implement the creation

and reproduction of documents in order to enhance browser capabilities during a browsing

session.

Regarding dependent claim 2, Bricklin discloses:

wherein said physical structure comprises at least one single page and said functional

links comprise at least one indicia printable onto said single page, and step (e) comprises

merging plural ones of said document links to form a single said indicia associated with a

component on said page (Bricklin on col. 31, line 3: teaches printer) and (Kulkarni on col. 8,

lines 13-23: teaches tab (indicia) for a web page).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Kulkarni into Bricklin to provide a way to link from one

document to another and provide a tab for each web page or document to implement the creation

and reproduction of documents in order to enhance browser capabilities during a browsing

session.

Regarding dependent claim 3, Bricklin discloses:

wherein said physical structure comprises plural pages and said functional links comprise

at least one cut-out tab formed in at least one of said pages, and step (e) comprises assigning

plural ones of said document links to a single one of said cut-out tabs (Bricklin on col. 10, lines 39-44 and col. 13, lines 25-64: teaches a notch along the top edge of a caricature (page image)).

Regarding dependent claim 4, Bricklin discloses:

wherein at least one said cut-out tab is formed as part of a nest of correspondingly located tabs associated with plural ones of said pages (Bricklin on col. 10, lines 39-44 and col. 13, lines 25-64: teaches a notch along the top edge of a caricature (page image) to distinguished from a plurality of caricatures).

Regarding dependent claim 5, Bricklin discloses:

retaining structure definitions of said document in a template for formatting at least one subsequent document in a corresponding fashion (Bricklin on col. 19, lines 9-16: teaches modifying graphical representation of a document).

Regarding dependent claim 6, Bricklin discloses:

defining a presentational style to said document and applying said presentational style to said functional links to distinguish said functional links from said components (Bricklin on col. 13, lines 25-64: teaches randomized distinctive appearance of a notch).

Regarding dependent claim 7, Bricklin discloses:

retaining said presentational style of said document in a template for formatting at least one subsequent document with said presentational style(Bricklin on col. 19, lines 9-16: teaches format graphical representation of a document).

Regarding dependent claim 8, Kulkarni discloses:

defining content specific document links and incorporating corresponding functional

links into said document (Kulkarni on col. 8, lines 13-23: teaches incorporating tabs for each

web page.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Kulkarni into Bricklin to provide a way to link from one

document to another and provide a tab for each web page or document to implement the creation

and reproduction of documents in order to enhance browser capabilities during a browsing

session.

Regarding dependent claim 9, Bricklin discloses:

wherein said content specific document links are user defined (Bricklin on col. 20, lines

16-57: teaches link creation by user which are user defined).

Regarding dependent claim 10, Bricklin discloses:

associating a predetermined stylistic layout with said optimised functional links so as to

vary a hardcopy reproduction of said document (Bricklin on col. 31, line 3, lines printer (hard

copy reproduction) and on col. 13, lines 25-64: teaches a printer which may be capability of

printing notched caricatures (page images)).

Regarding dependent claim 11, Bricklin discloses:

wherein said predetermined stylistic layout implements the formation of cut-out tabs as at

least some of said optimised functional links (Bricklin on col. 10, lines 39-44 and col. 13, lines

25-64: teaches formed notched caricatures).

Regarding dependent claim 12, Kulkarni discloses:

wherein step (e) comprises grouping said document links according to predetermined criteria associated with said document links, each said group having associated therewith at least one corresponding optimised functional link (Kulkarni on col. 1, lines 39-67 : teaches group of web pages (document links) comprising plurality of links and on col. 8, lines 13-23: teaches forming a tab for each web page.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kulkarni into Bricklin to provide a way to link from one document to another and provide a tab for each web page or document to implement the creation and reproduction of documents in order to enhance browser capabilities during a browsing session.

Regarding dependent claim 13, Bricklin discloses:

importing said information into said structure to form said document; and (eb) applying said optimised links to said document (Bricklin on col. 18, lines 7-17: teaches text from source lexia to form a page or document and on col. 20, lines 16-57: teaches applying plurality of links to document).

Regarding dependent claim 14, Bricklin discloses:

(ec) identifying those of said document links that either (i) start or (ii) end on respective common pages of said document (Bricklin on col. 20, lines 16-57: teaches links with a document that can be arranged, modified, or created throughout the document of elements);

(ed) for each said common page, grouping together corresponding document links identified (Bricklin on col. 1, lines 17-45: teaches lexia containing plurality of links) at step (ec); and

(ee) providing a cut-out tab functional link corresponding to each said group of document links (Bricklin on col. 10, lines 39-44 and col. 13, lines 25-64: teaches providing notched caricatures) and (Kulkarni on col. 8, lines 13-23: teaches forming a tab for each web page).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kulkarni into Bricklin to provide a way to link from one document to another and provide a tab for each web page or document to implement the creation and reproduction of documents in order to enhance browser capabilities during a browsing session.

Regarding dependent claim 15, Bricklin discloses:

limiting each of said groups to plural document links to those that either (i) end on different ones of said pages or (ii) start on different ones of said pages, as the case may be, and step (ee) comprises providing a set of nested cut-out tab functional links, each member of said set corresponding to one said document link of the corresponding said group (Bricklin on col. 10, lines 39-44 and col. 13, lines 25-64: teaches a notch along the top edge of a caricature (page image) to distinguished from a plurality of caricatures) and (Kulkarni on col. 8, lines 13-23: teaches forming a tab for each web page).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kulkarni into Bricklin to provide a way to link from one document to another and provide a tab for each web page or document to implement the creation and reproduction of documents in order to enhance browser capabilities during a browsing session.

Regarding dependent claim 16, Bricklin discloses:

wherein said groups are formed based upon a determinable relationship between corresponding said components of information (Bricklin on col. 1, lines 17-45: teaches lexia containing links can be linked to another lexia or document).

Regarding independent claim 17, Bricklin discloses:

An authoring system for the creation of a linear document having non-linear referential links, said system including:

means for specifying a linear document structure and the hyperlinks of a hypermedia document (Bricklin on col. 1, lines 17-45: teaches lexia of a hypermedia work with embedded links);

means for modelling each said physical link using a one-dimensional vector (Bricklin on col. 13, lines 25-64, see Figure 6c: teaches a notch along the top edge of a caricature (page image)).

However, Bricklin does not explicitly disclose "associating said hyperlinks with physical links able to be formed in pages" and "optimising an assignment of said physical links to one or more of said hyperlinks".

Kulkarni et al. (Kulkarni) on col. 1, lines 39-67 and on col. 8, lines 13-23: teaches web pages (document links) comprising plurality of links in which forming a tab for each web page.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kulkarni into Bricklin to provide a way to link from one document to another by providing a tab for each web page or document to implement the creation and reproduction of documents in order to enhance browser capabilities during a browsing session.

Regarding independent claim 18, Bricklin discloses:

An authoring system for the creation of a linear document having non-linear referential links, said system comprising:

means for assessing hyperlinks within a source hypermedia document to which a linear document structure is to be applied (Bricklin on col. 1, lines 17-45: teaches lexia of a hypermedia work with embedded links to be accessed by the author of the publication);

means for modelling each said physical link using a one-dimensional vector (Bricklin on col. 13, lines 25-64, see Figure 6c: teaches a notch along the top edge of a caricature (page image)).

However, Bricklin does not explicitly disclose "associating said hyperlinks with physical links able to be formed in pages" and "optimising an assignment of said physical links to one or more of said hyperlinks".

Kulkarni et al. (Kulkarni) on col. 1, lines 39-67 and on col. 8, lines 13-23: teaches web pages (document links) comprising plurality of links in which forming a tab for each web page.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kulkarni into Bricklin to provide a way to link from one document to another by providing a tab for each web page or document to implement the creation and reproduction of documents in order to enhance browser capabilities during a browsing session.

Regarding independent claim 19, Bricklin discloses:

A system for the creation of a linear document having non-linear referential links, said system comprising:

means for assessing hyperlinks within a source hypermedia document to which a linear

document structure is to be applied (Bricklin on col. 1, lines 17-45: teaches lexia of a hypermedia

work with embedded links to be accessed by the author of the publication);

means for modelling each said physical link using a one-dimensional vector (Bricklin on

col. 13, lines 25-64, see Figure 6c: teaches a notch along the top edge of a caricature (page

image)).

means for applying said linear document structure and said optimised physical links to

said hypermedia document to produce said linear document; and means for reproducing said

linear document (Bricklin on col. 31, line 3, lines printer (hard copy reproduction) and on col.

13, lines 25-64: teaches a printer which may be capability of printing notched caricatures (page

images)).

However, Bricklin does not explicitly disclose "associating said hyperlinks with physical

links able to be formed in pages" and "optimising an assignment of said physical links to one or

more of said hyperlinks".

Kulkarni et al. (Kulkarni) on col. 1, lines 39-67 and on col. 8, lines 13-23: teaches web

pages (document links) comprising plurality of links in which forming a tab for each web page.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Kulkarni into Bricklin to provide a way to link from one

document to another by providing a tab for each web page or document to implement the

creation and reproduction of documents in order to enhance browser capabilities during a

browsing session.

Regarding claims 20-51, the limitations of claims 20-51 are a computer program product and system for processing the method of claims 1-16 and are rejected under the same rationale.

Regarding claims 52-53, the limitation of claims 52-53 are a document to be used in the method and system of claims 1 and 19 and are rejected under the same rationale.

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
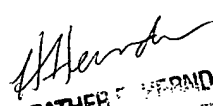
USPN 5,632,022 – Warren et al. – issued on 05/1997.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Romero whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AR

November 15, 2002

HEATHER HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100